

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEVIN EUGENE ANDERSON,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

8:19CV548

MEMORANDUM AND ORDER

This matter is before the court on what the court construes as correspondence filed on behalf of Petitioner. (Filing 10.) The documents received by the court consist of copies of Respondent's Motion for Summary Judgment (filing 5), Designation of State Court Records in Support of Motion for Summary Judgment (filing 6), and Respondent's brief in support of his summary judgment motion (filing 7) with handwritten notations on the documents. There is also a one-page handwritten note addressed to the undersigned which states, "This packet of info came yesterday to Devin. Not too pertinent to his being classified "DANGEROUS" by the therapist Dr. Mary Paine." (Filing 10 at CM/ECF p. 1.)

It appears that these documents were filed by someone else other than Petitioner based on the language used in the note and the return address listed on the envelope used to mail the materials. (*See id.* at CM/ECF pp. 1, 20.) Moreover, the documents are not signed as required by Federal Rule of Civil Procedure 11. Accordingly, the court will not consider these documents as filed in response to Respondent's summary judgment motion and will remind Petitioner that he has until October 9, 2020 to file a brief in opposition to Respondent's summary judgment motion.

As set forth in this court's progression order, "Petitioner may not submit other documents unless directed to do so by the court." (Filing 3.) Thus, to be

clear, Petitioner must *only* submit a brief in opposition to Respondent's motion for summary judgment which must be originally signed by Petitioner by October 9, 2020.

IT IS THEREFORE ORDERED that:

1. The court will take no action on Petitioner's correspondence (filing 10).
2. Petitioner has until **October 9, 2020** to file a brief in opposition to Respondent's Motion for Summary Judgment.

Dated this 31st day of August, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge